

MINUTES OF THE DEKALB COUNTY DRAINAGE BOARD MEETING OF JANUARY 30, 2020

Vice Chairman Michael E. Krehl called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m., Thursday January 30, 2020. Answering roll call was Michael E. Krehl; Donald D. Grogg; Jacqueline R. Rowan and William 'Bill' Hartman.

Randall J. Deetz was absent.

ALSO PRESENT: Drainage Board Attorney Shannon E. Kruse; Administrative Assistant Brenda Myers; Surveyor Mike Kline and staff member Nate Frye.

IN ATTENDANCE: Jeff Bassett; Galen Anspaugh; Pam Anspaugh; James Deetz; Jerry Teders; Greg Roberts; Joe Herendeen; Joe Prosser; Walter Prosser

APPROVAL OF MINUTES: A motion was made by Bill Hartman to approve the Minutes of January 23rd, 2020 as standard minutes taken by the DeKalb County Drainage Board, seconded by Jacqueline Rowan, motion carried.

SURVEYORS REPORT: Surveyor Mike Kline presented the **Contract for the 2019 Reconstruction of the Marvin Walker Drain Number 403-00-0** signed by Kevin J. Linnemeier, Tri-County Excavating in the amount of \$22,250.00.

Don Grogg moved that the Drainage Board sign the contract and authorize the encumbrance of the General Drain Improvement Fund to cover the contract on the Marvin Walker Drain Number 403-00-0 in the amount of \$22,250.00, seconded by Bill Hartman, motion carried.

CHANGE ORDER AND/OR ADDENDA/EXTENSION ERIC MORRIS DRAIN NUMBER 416-00-0: Surveyor Mike Kline presented a change order/addenda/extension request from Knott Excavating, Contractor, to extend the time for the **2019 Reconstruction of the Eric Morris Drain Number 416-00-0** due to weather related delays. The original date of completion was January 31st, 2020. The net increase resulting from the change order is three months or ninety (90) days extending it to April 30th, 2020.

Don Grogg stated that when this was brought up at our meeting last week it was stated sixty days.

Nate Frye said that he questioned Knott's if sixty was going to be enough so rather to be safe than sorry, it was decided to make a request for ninety days.

Bill Hartman moved that upon the recommendation of the Surveyor's Office that the Board grant the ninety (90) day extension of time to be completed by April 30th, 2020 on the Eric Morris Drain Number 416-00-0 to Knott Excavating, seconded by Jacqueline Rowan, motion carried.

Videos were shown of the project and the problems they are having.

ERIC MORRIS DRAIN NUMBER 416-00-0: Present is Pam and Galen Anspaugh with questions on the reconstruction process; letters were noted and the dates received of the walk-thru on October 17th, 2019; on November 22nd, 2019 a letter stating that the start date was November 27th, 2019 weather permitting and Pam noted that there were three weeks (approximately) that there was no movement on site with good weather. The notice received of the public hearing that was held on September 27th, 2019 said that the land shown by the schedule of damages to be damaged at the sum of zero dollars, she had stated her concern at the hearing that she feels that is wrong, and she again wanted to go on record as stating that she believes there is going to be damage to their property.

Mike Kline responded that part of that time where no movement was happening, that was used to order and receive stone and materials.

Mike Krehl asked where this property is located and it was stated 3533 County Road 36 where they will go across their driveway and wooded area.

Pam Anspaugh stated that a letter that she had received on September 20th, 2019 from Mr. Kline stated that his office has worked on the design and cost for several months and he felt the cost and proposed assessments for this project are fair to all landowners in the watershed. Pam questioned if when the job is being bid, would the contractors not know from soil samples that this could contain sugar sand/quick sand and could be problematic.

Mike Kline stated that none of the contractors took any testing and his office doesn't do it unless there is a project where something large would be built. There won't be any additional charges with the problems the contractors are dealing with Mike assured them.

Galen Anspaugh stated that another concern is the cutting of his driveway and yard and wanted an assurance that the county will put their driveway and yard back to the way it was originally.

Mike Kline stated that they will cross the driveway; they will backfill stone all the way to the surface compacted and solid and then they will saw-cut the edges and replace the pavement that they took out. Mike told them they would have to wait until the plants open up in the spring (for asphalt) when Galen questioned the driveway being asphalted.

Pam Anspaugh said they would like to coordinate with the asphalt being done so that the portion done by the county doesn't stick out like a sore thumb, so they would want to (at the same time) redo the rest of their driveway and Mike said he would advise the contractor to talk to them (Anspaugh's) to work that out.

DRAIN VARIANCE APPLICATION - DANIEL HURSEY SOUTH LATERAL 4 DRAIN NUMBER 48-80-0: Present is Greg Roberts who is with Donovan Engineering on behalf of Larry Redmon who is selling this property contingent on obtaining a variance to install a sixty inch (60") culvert pipe in the county regulated drain for access to the other side.

Mike Kline stated that an application has been received with a request for a culvert pipe to be installed so they can get from one side of their property to the other.

Don Grogg moved that based upon the facts stated and the recommendation of the Surveyor, that the Board approve the surveyor preparing a variance for a sixty inch (60") culvert pipe to be placed in the Daniel Hursey South Lateral 4 Drain Number 48-80-0, seconded by Bill Hartman, motion carried.

INFORMATIONAL – PRIVATE DISPUTE: Mike Kline presented the correct numbers for a refund on the Creager/Grate dispute only to be corrected that this had already been taken care of at a meeting a few months ago. Mike was instructed to make sure that the refund had in fact been receipted.

PLAN COMMISSION PETITION – REPLAT OF LOT 2 KRAFFT-CRABILL ADDITION: Present is Jerry Teders, Tri-County Land Surveying on behalf of Jason and Malinda and Michael Girod who are seeking approval for a replat of lots 2 and 3. Jason and Malinda bought the entire parcel and they are splitting the south five acres off so Jason's brother Michael can build a home.

Surveyor Mike Kline reported that this plat is in the watershed of the *Daniel Hursey Regulated Open Drain Number 48-00-0* and the *George Wade Lateral 1 Regulated Tile Drain Number 31-01-0*. The plat does not appear to exceed the threshold set by the Drainage Board for additional drainage improvements. This development shall not block off site drainage across the site and storm water from this lot shall be directed onto the parent tract and not onto adjoining tracts. This report is subject to any additional information submitted at the Plan Commission hearing.

A motion was made by Don Grogg to accept the report of the Surveyor concerning the drainage, subject to any new evidence presented at the Plan Commission meeting and requests the Administrative Assistant to pass this decision of the Drainage Board to the Plan Commission, seconded by Jacqueline Rowan, motion carried.

PLAN COMMISSION PETITION – SHEARER SUBDIVISION: Present is Joe Herendeen, Sauer Land Surveying on behalf of Bruce Edward and Kriss Ann Stackhouse on this one-lot subdivision located in the fractional northwest quarter section 18, Township 35 N, Range 12 E. Bruce and Kriss Ann are selling off 4.226 acres to their daughter and son-in-law to build a home.

Surveyor Mike Kline reported that this plat is in the watershed of the *Noah Smith Regulated Open Drain Number 97-60-0* and *Eugene Krehl Regulated Tile Drain Number 400-00-0*. The plat does not appear to exceed the threshold set by the Drainage Board for additional drainage improvements. This development shall not block off-site drainage across the site. Storm water from the lot shall be directed onto the parent tract and not onto adjoining tracts. This report is subject to any additional information submitted at the Plan Commission hearing.

A motion was made by Bill Hartman to accept the report of the Surveyor concerning the drainage, subject to any new evidence presented at the Plan Commission meeting and requests the Administrative Assistant to pass this decision of the Drainage Board to the Plan Commission, seconded by Don Grogg, motion carried.

MAUMEE CREEK/WILLIAM BICKEL DRAIN NUMBER 133-00-0: Present is James Deetz who said he has met with LaGrange County to make sure there is maintenance on the ditch and how to get maintenance done when it needs to be done, and basically they said to go through the DeKalb Surveyor's office for that. Jim questioned if anything has been coordinated with the other two counties, they are ready to go. Jim said the right-of-way is all grass and he will leave that so if someone wants to stake it out they can, he will be planting beans in that area.

Mike Kline said he needs to go up and talk to Zach in LaGrange County to let him know his plan which is to gather two or three quotes on replacing the culvert pipe and doing some bottom dipping. Randy Sexton has told him to let him know what he needs to do and that he's ready.

INFORMATIONAL: Mike Krehl gave the surveyor the name of a contractor who is willing to do work in the county.

OZRO FREEMAN DRAIN NUMBER 175-00-0: Present is Walter and Joe Prosser questioning what more needs to happen to get the work gone on this drain. Walter Prosser stated that he was at a meeting in November and was told that within a few hours this could be taken care of and moved forward. He has made calls to the surveyor's office but was unsuccessful so he wanted to be present to find out what needs to be done.

Mike Kline said the drain needs to be bottom dipped before they can lower the tile to get it replaced at County Road 34. At one time this entire drain was an open drain so he is trying to get it back to as it was in order to get good drainage. There is money in the maintenance fund to do the bottom dipping, and in the meantime, said he will finish up the plans that are laying on his desk, and he will get quotes so this can get started; it shouldn't take a long time but we are probably looking at a month before they will be ready to go.

Walter Prosser stated that it would be okay to do this this summer and when they put the actual tile in, they can go through his crops; he will pay for it and just wants to get it done this year.

Mike said that once he has more numbers put together, he will go over that with Walter and then there will either need to be a public hearing or this could be done by Consent and Waiver to get this done sooner.

Mike Krehl asked for a timeline of how long it will take for the surveyor to put those numbers together and contact Mr. Prosser; sixty days, thirty days?

Mike said probably sixty days, he will get this all put together and then in the meantime he will get this bottom dipped and done using maintenance money. Mike told Walter not to hesitate to call him.

ALBERT HIGBEA LATERAL 1 DRAIN NUMBER 268-01-0: Mike Krehl asked for an update on this drain, this situation is similar as Mr. Prosser in that they don't know the dollars (cost).

Nate Frye said that there are four drains: Albert Higbea drain; Ozro Freeman drain (*this drain has been preliminarily designed*); George Matson lateral 11 drain (*this drain is pretty basic and a landowner is willing to pay upfront to get it done, and the landowner Rory Walker may be willing to do the work*); and the C. B. Cagey drain (*the design was basically done with prices a few weeks ago*) where all four landowners have expressed interest in helping to fund these projects.

Mike Kline said that these are the next four that jump into the top spots on the list with the Marvin Walker and Eric Morris both off and running.

It was questioned where this drain stands then on the (reconstruction) list and Mike said the Board would have to look at the list from the Board's perspective as to how they want those arranged in order to get those done. Nate said the Albert Higbea Lateral 1 will take the most work of those that have been listed here.

Don Grogg asked if it would be helpful to advertise that we are looking for contractors.

Nate said he has considered that but Mike Kline said he prefers to pick and choose because of the difference in projects.

There being no further business, meeting adjourned.

Mike Krehl, Vice Chairman

Brenda F. Myers, Administrative Assistant